

Lawton City Council Minutes

October 7, 2014, 5:00 p.m.

The Lawton City Council met in regular session on Tuesday, October 7, 2014 at the Lawton City Hall. The meeting was called to order by Mayor Rick Schorg at 5:00 pm. Council members answering roll call were Will Wollesen, Perry Ludwig, Mike Frolkey, Terry Masching, and Matt Otto. Also present were Janet Hasche, Nick Lahrs, Attorney Glenn Metcalf, and Engineer Jerry Steffen and others from the public.

Motion by Wollesen, second by Masching, to approve the agenda. Motion Carried 5-0.

The Mayor opened the Public Forum and asked if any members of the public wished to address items not on the agenda. There were none.

Discussion was held on the sewer lines at 96 & 98 West Creek Drive. Attorney Metcalf advised if the construction was not consistent with the building permit and the instructions Council gave him, not to turn on the water. Attorney Metcalf was instructed to write Creekside Builders regarding the position of the Council.

ORDINANCE 2014-05

ORDINANCE AMENDING CITY CODE 6-5-10 PROVIDING FOR REFUSE COLLECTION RATES

The Council next considered amending the garbage fee rates to cover the costs to the City. Several levels of rate increases were considered. Motion by Otto, second by Frolkey, to adopt the first consideration of Ordinance Amending City Code 6-5-10 that provides for refuse collection rates for residential garbage to increase to \$16 per month, and small garbage cart to \$14 per month. Roll call: Wollesen aye, Ludwig nay, Frolkey aye, Masching aye, and Otto aye. First reading is approved.

Council discussed the siren's capability to be used as a noon whistle, and reviewed the equipment proposal to make this possible. Some council members will talk to Butch at Danko to discuss the original proposals and what the system was supposed to do. Hasche reported that she had received objections concerning the siren sounding every day from people who work at night and sleep during the day, and from daycare providers.

Clerk Hasche next presented proposals submitted by three area vendors for a new copier for the office to be used as a system printer and their service contracts. Motion by Otto, second by Ludwig to purchase the Canon imageRunner 1730iF for \$2312 with a service contract of \$22.26 per month. Motion carried 5-0.

The Assistant City Maintenance position was discussed. Public Works Director/Water Superintendent, Nick Lahrs, presented his ideas on what he felt was needed in regard to workload. It was the consensus of the Council to set it as a full time position. Salary range was discussed, and it was decided to post as Salary DOQ.

Lt Charles Hertz from the Woodbury County Sheriff's Department next presented the September report detailing calls answered and patrol time in the City of Lawton.

ORDINANCE No. 2014-06

Ordinance to Amend Title III of Chapter 3, amending Section 3-3-10 of the Code of Ordinances of the City of Lawton, IA, as amended to add stop signs at West Creek Drive and Ash Street, adding stop signs in for the north bound and south bound lanes on West Creek Drive at Ash St.

Motion by Frolkey, and second by Wollesen to approve the first reading of an Ordinance to amend City Code Sec 3-3-20 hereby amended to add stop signs at Ash St. on West Creek Drive north bound lane and West Creek Drive south bound lane. Roll call: Wollesen aye, Ludwig aye, Frolkey aye, Masching aye and Otto aye. First reading has been approved. Motion was made by Otto and seconded by Frolkey to waive 2nd and 3rd readings of this ordinance. Roll call vote: Wollesen aye, Ludwig aye, Frolkey aye, Masching aye, and Otto aye. Motion by Wollesen and second by Masching to adopt the ordinance to place stop signs for the north bound lane of West Creek Dr at Ash, and the south bound lane of West Creek at Ash. Roll call vote: Wollesen aye, Ludwig aye, Frolkey aye, Masching aye, and Otto aye. Ordinance adopted.

Engineer Steffen next reviewed a proposal for the solution to issues with the natural drainage ditch based on the topographical map that as prepared 4 or 5 years ago for the floodway boundaries. He felt that a solution could be arrived at by grading a 20-30' wide ditch width with a 4:1 side slope. Steffen will put together bid proposal items for the work and send it out to qualified contractors. Estimated cost could be \$7500 for the dirt work. Attorney Metcalf will prepare consensual easements for the properties involved. Public Works will do some maintenance on the areas from Elm to Pine, and at West Creek Drive in the interim.

Frolkey next presented information on the drainage issue north of Oak St. This is not a natural drainage way. Attorney Metcalf stated if we are concentrating the water in there, it is our responsibility to keep it flowing. Mayor Schorg will contact Arlen Zenor to get permission to go in and maintain the ditch

Motion was made by Frolkey and seconded by Otto, to reimburse the Public Works Director/Water Superintendent and the City Clerk \$40 per month for cell phone reimbursement. Motion carried 5-0.

A request was made by the Deb Lawry from the Post Office for approval to move the mail drop box and flag pole location. Moved by Otto, second by Frolkey, to approve request for permission to relocate the drop box and flag pole to a specific location approved by the Council. Motion Carried 5-0.

Engineer Steffen reported he was unable to contact the McGuire Iron representative about the water tower exterior appearance. Since the issue of discoloration is on the exterior we can leave it as is until the tower needs repainting.

Fireworks permitting process and insurance level requirements were next discussed. Sioux City's process for permitting was reviewed, the National Fire Code, insurance levels for liability and safety guidelines. A permitting process will be drafted and presented to the council for approval at the next council meeting along with a suggested fee.

IA Codification has asked us to clarify what language we want in Section 70.03 concerning a "simple notice and \$100 fine". The consensus of the Council is to eliminate that language and let any citations for unlawful use of handicap zone be written by law enforcement under State Code.

Motion by Ludwig, second by Otto, to approve the payment of \$10,880.50 to Steffen Engineering for September services on the Elm St. Paving Project. Motion carried 5-0. The issue of what to do about two water services that were discovered under Elm Street during construction was discussed. The engineer suggested cutting off the valve riser and coming back later to install shut off valve behind the curb.

Discussion was held on the condition of the concrete at Tara Way Park. It was decided to revisit this issue in the spring.

The council received a resignation letter from Patricia Washburn, motion by Wollesen, second by Otto to accept her resignation. Motion Carried. A farewell coffee in Patricia's honor will set at a later date in October.

Discussion on City Hall hours was held. Motion by Ludwig, second by Wollesen, to change the City Hall posted hours from 7:30 to 12:00 p.m. and 12:30 to 4:00 p.m. Ayes: Wollesen, Ludwig, Frolkey, Masching. Nays: Otto. Motion Carried.

The Clerk reported that she contacted Ace Signs and the new sign should be coming this week. The City also has been selected by the State Auditor for a periodic exam. Two building permits were approved in September: a new residence at 312 W. Creek Dr, and a fence at 410 E Oak.

The Public Works Director reported that water is being discharged from the lagoon as permitted by DNR and repairs will be made before the water levels come back up. He has been in touch with Cherokee Rehab and they will discuss in February to get on summer schedule: 65 Cents per foot for cleaning, 65 cents per foot for televising, and 50 cents per foot for tree root cutting. He also discussed the need for acquiring safety equipment for working in confined spaces. He also informed the Council that he has located a backhoe that he can rent for \$24 per tach hour.

City Attorney Metcalf advised that he will be unavailable starting Oct 17th for about 3 weeks. Sarah Kleber will be handling his cities while he is out. Kleber is an Attorney with Heidman Law Firm in Sioux City and also the City Attorney for Sergeant Bluff. Several questions were asked about the cable franchise.

Wollesen read the Fire Advisory Board report for Sept. They did not receive the grant for replacing bunker gear and they will need 17 to 24 more, the cost is approximately \$27,267.00 to replace 20 of them. We will need to plan for that at budget time and possibly start another fund for putting money aside for future replacement every 10 years.

Motion by Ludwig, second by Masching to approve the consent agenda after removing the Financial Statements for August & September which were not available. Motion carried 5-0.

Motion by Wollesen, second by Frolkey to adjourn. Motion Carried. Meeting adjourned at 7:49 p.m.

WARRANTS APPROVED

City of Lawton Disbursements September 2014

Bomgaars, hoses, chain saw chains, gas can & misc	246.38
FedEx- ship pager for repair	11.33
Walmart - office & shop supplies	103.91
Nepper Trust Acct - void/stop pymnt check lost in mail	-52034.60
Nepper Trust Acct - replacement check	52034.60
Brittany Christiansen utility deposit refund	45.46
Western Ia Telephone city & Fire Dept	354.64
Steffen Engineering -services on Elm St. Project	4470.00
Siouxland Lock & Key -services	536.60
Sioux City Journal Communications - employment ad	985.00
Rocket Auto Wash - detail pickup	150.00
Novak Sanitary Service - August	5011.00
Nitzschke Construction locates & services	367.50
Nepper Law Firm - reimburse filing fee CHN	185.00
Moville Record - publications	722.70
MidAmerican Energy - August City & Fire Dept	2154.18
Menards weed killer	44.91
Mangold Environmental Testing water testing	170.00
LB After Prom -softner salt Fire Dept	55.00
Inland Truck Parts- service fire truck	323.94
I&S Group - operator services August & supplies	699.54
HAKA LLC (Pronto) fuel Fire Dept	291.92
EPS Lawnworks- mowing services	1005.00
Electronic Engineering program siren	145.00
City of Lawton- FD utilities	51.08
Anderson Heating & Cooling AC at City Hall	175.00
Acco chemical feeder parts	229.40
Danko - FD annual pump test	500.00
Automated Systems Co -emergency service call	1943.25
Boomgaars-supplies	221.04
Danko - Siren Install	5400.00
US Postmaster - postage	98.00
Patricia Washburn reimbr city mi on personal veh	107.52
Staples key tags & hooks for sign	24.47
Aflac, employee contrib	32.30
Employee Salaries	5112.57
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SEPTEMBER DISBURSEMENTS	\$32,219.73
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Attested by: _____

Janet Hasche, City Clerk